

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In the matter of the ESTATE OF JULIUS H. GATER,
a protected individual, BY HIS GUARDIAN
JEANNE STARR GATER,
Plaintiff,

Case. No.: 2:09-CV-14186
Hon. Gerald E. Rosen

vs.

ALLSTATE INSURANCE COMPANY,
an Illinois Corporation,
Defendant.

MILLER & TISCHLER, P.C.
MAUREEN H. KINSELLA (P56172)
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STIPULATION OF DISMISSAL WITHOUT PREJUDICE

NOW COME the parties to the above referenced litigation by and through their attorneys of record and by Plaintiff, DO HEREBY STIPULATE AND AGREE that this case shall be dismissed without prejudice with all rights and defenses preserved for all parties.

IT IS FURTHER STIPULATED AND AGREED that this case may be reinstated by Plaintiff within 60 days within this Court. Should the 60 days expire without suit having been reinstated, any case by Plaintiff against Allstate may only be filed in US District Court for the Eastern District of Michigan.

/s/ Maureen H. Kinsella
MAUREEN H. KINSELLA P56172
Attorney of Record for Plaintiff

/s/ James L. Borin
JAMES L. BORIN P11013
Attorney for Defendant

/s/ Jeanne Starr Gater
JEANNE STARR GATER
Plaintiff, Guardian of Julius H. Gater


JEANNE STARR GATER
Plaintiff, Guardian of Julius H. Gater 4-14-2011

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**ORDER OF DISMISSAL WITHOUT PREJUDICE PERMITTING REINSTATEMENT
OF CASE WITH ALL RIGHTS AND DEFENSES PRESERVED FOR ALL PARTIES**

The above referenced matter having come before this Court on stipulation and agreement of counsel and Plaintiff, and the Court being otherwise fully informed in the premises thereof,

IT IS HEREBY ORDERED that this case is dismissed without prejudice with all rights and defenses of the parties being preserved to the parties.

IT IS FURTHER ORDERED that this case may be reinstated by Plaintiff within 60 days within this Court. Should the 60 days expire without suit having been reinstated, any case by Plaintiff against Allstate may only be filed in US District Court for the Eastern District of Michigan.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: April 20, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 20, 2011, by electronic and/or ordinary mail.

s/Ruth A. Gunther
Case Manager